

Mem.—

It is requested that the accompanying Paper may be substituted for the corresponding one issued on the 7th instant.—In page 3, line 35, the word "or" has been corrected to "in."

9 July 1868.

RETURN to an Order of the Honourable the House of Commons,
dated 1 July 1868;—for,

COPY "of further CORRESPONDENCE relative to the Proposed CHARTER to
a ROMAN CATHOLIC UNIVERSITY in Ireland."

— No. 1. —

The Most Rev. Archbishop *Leahy* and the Right Rev. Bishop *Derry* to the
Earl of *Mayo*.

My Lord,

Thurles, 16 June 1868.

It is but due to ourselves to call your attention to the explanations recently given by yourself in answer to Sir John Gray's question, and by another noble Lord in the Upper House, both referring to the broken off, if ever to be resumed, negotiations concerning a charter for a Catholic University. These negotiations, the public is now fully aware, were entered upon in consequence of the declared intentions of the present as well as the late Government to remove in part the educational disabilities under which the Catholics of Ireland labour; and they were conducted, so far as they went, by your Lordship, aided by the Earl of Malmesbury, on the part of the Government, and by us on the part of the Catholic prelates of Ireland. Not only was public attention excited, but much satisfaction was felt when it became known that Government was prepared to confer with the Catholic prelates of Ireland, through two of their number, upon the important subject in question. The negotiations went on smoothly, but very slowly, through the first stages, and then were suddenly stopped short, naturally causing something like a shock to public expectation proportioned to the suddenness of the abrupt and unlooked-for termination of the business, supposing it to be the termination. Then came the Parliamentary explanations from the Earl of Malmesbury and your Lordship, to which we now desire to call your attention.

If we may trust to the reports which have appeared in the public journals (and there seems to be no reason for doubting their correctness), the Earl of Malmesbury's explanation was a misrepresentation of the facts involved, purely accidental, we are willing to believe, nevertheless real; for, as reported, he said the negotiations ended in nothing, because the bishops rejected the plan proposed by Government; whereas, the fact was, that they ended, if they have ended, in nothing, because the Government rejected the suggestions which you had invited us to offer. And then, as regards your Lordship's explanation in answer to Sir John Gray's question, though far be it from us to impute anything like an intention to mystify or mislead, that explanation seems to leave it doubtful upon whom should rest the responsibility, whatever it be, of breaking off the negotiations, upon you or upon us. We desire to set the facts in their true light before the public, and so to correct the misinterpretation in the one case, and to remove the doubt in the other.

We do, then, assert that the negotiations were not broken off by us, or because we had rejected the plan proposed by the Government, and consequently that we have not to answer for it if they have ended in a "most lame and impotent conclusion." At our interview with your Lordship and the Earl of Malmesbury you invited us to commit our views to writing, in order that they might be submitted to the consideration of Government. You did not give us to understand, neither did we then or since give you to understand, that this statement of ours was to be regarded as our last word, in a negotiation but just opened, and upon a subject which, from its very nature as well as the divergence of views apparent at the outset, demanded a further interchange of ideas, a fuller discussion, if the whole business was to end in anything. Not a word

of ours, spoken or written, indicated that we had taken ground from which nothing could induce us to recede. We were prepared to do what parties conducting a negotiation in good faith must be prepared to do, listen to reason; and, as far as possible, make concessions as well as demands. Assuredly, there was nothing to make you think that in my right reverend brother and myself you had to do with persons who would demand everything and concede nothing: who would hold tenaciously to their own once-expressed opinions, but would pay no heed to anything you might have to say on the other side; and that therefore you might regard our statement of the 31st of March as the final and unalterable expression of our views. It was not, my Lord, intended by us to be final, nor was any such thing conveyed by us, directly or by implication. If it was final, it was your acting, in the name of the Government, who made it final. After waiting for a considerable time, we will not insinuate for the purpose of seeing how far the bare offer of a charter for a Catholic university might be made to subserve political exigencies, you, in the name of the Government, as if to cut away all ground for any further treating, rejected every one of the suggestions which you had invited us to make; and, without more ado, you had the correspondence printed and submitted to Parliament. You it was, then, my Lord, not we, who brought the negotiation to an abrupt termination, if terminated it has been.

That this business should have been terminated, if so it be, in a manner as abrupt as it was unlooked-for, and without any benefit whatever resulting to the Catholic public, such as was anticipated at the first starting of it, has naturally enough produced a deep sense of disappointment. We leave it to the public to pass its verdict upon the whole transaction, offering little or no remark ourselves beyond a statement of the facts. But, as one of the negotiating parties, and maintaining as we do that we did not break off the negotiations, we conceive we have a right to ask you as the other party; and we do ask you, my Lord, whether you consider what has taken place between us as final. Your reply will put beyond question upon whom rests the responsibility of an abrupt as well as abortive termination of this whole business, and it is but right that whatever responsibility may attach to it in the eyes of the public should lie upon the really responsible party.

It is our intention to publish this letter.

We have, &c.
(signed) *Patrick Leahy*, Archbishop, &c.
John Derry, Bishop, &c.

To the Right Hon. the Earl Mayo, M.P.,
Chief Secretary for Ireland.

— No. 2. —

Earl of Mayo to the Most Rev. Archbishop *Leahy*.

Most Rev. Sir,

Irish Office, 30 June 1868.

I beg to acknowledge the receipt of your letter of the 16th inst., calling my attention to the answer recently given by me to Sir John Gray's question in the House of Commons, and that given by Lord Malmesbury in the House of Lords, in reference to the communications which have passed between us concerning a charter for a Roman Catholic university, and complaining that the negotiations on the subject were broken off by me in an abrupt and unexpected manner.

It becomes my duty to call your attention briefly to the events which have taken place with regard to the proposals made by the Government in this matter.

On the 12th March, I announced in the House of Commons, that it was the intention of Her Majesty's Government to propose that a charter should be given to a Roman Catholic University.

I said, that up to that time, we had entered into no negotiations or communications with anyone, but that keeping in view the principles we thought indispensable, namely, that there should be in the institution an influential lay element, and that the elective principle should be fully recognised, we were prepared

prepared to listen respectfully and carefully to all suggestions that were made to us, and to endeavour to suit the new university to the requirements of those for whose benefit it was intended.

On the 14th March, therefore, I addressed to you a note referring to your letter to the Earl of Derby of the 23rd October 1867, in which you stated, that you had been deputed by the Roman Catholic archbishops and bishops of Ireland to enter into communication with Her Majesty's Government on the subject of a charter for the Roman Catholic university.

I said that I should be happy, on the part of the Government, to receive from you any communication which you might be pleased to make on the subject.

On the 19th March I received a letter, in which you put forward several objections to the proposed scheme, stating, at the same time, that you would do me the honour of waiting upon me during the ensuing week.

A lengthened interview took place on the 24th March at the Irish Office, in which you and your right reverend colleague repeated, to a great extent, the objections put forward in your letter of the 19th.

To these objections Lord Malmesbury and I listened with respectful attention; and, at the close of the interview, we requested you to place those opinions in writing at greater length, and in greater detail than you had done in your first letter.

A letter, dated the 31st March, was subsequently received, in which, with great clearness and frankness, you set forth the alterations which you recommended should be made in the framework of the new institution, as it was described in a memorandum which I had the honour of placing in your hands.

The alterations which you said that you considered necessary were principally based on the assumption that there was not sufficient scope given in the constitution of the university and its governing body for the exercise by the Roman Catholic prelates of their authority in matters appertaining to faith and morals, or over the books that were to be used by the students.

In order, therefore, fully to provide for the exercise of that episcopal control which you appear to deem essential, you said that it was not competent for laymen or even clergymen of the second order, however learned, to judge authoritatively of matters relating to faith and morality, and that the very least power that could be claimed for the bishops in the senate would be that of an absolute negative on the use of all books that might be deemed objectionable, and a power of veto on the first nomination of the professors of the university, as well as an authority for their dismissal.

You also made propositions with regard to the election of the chancellor and the members of the senate, which would practically have put an end to anything like a system of free election on the part of the general body of the university.

I apprised you in my letter of the 11th May, delayed, as I then informed you, by my unavoidable detention in Ireland, and my consequent inability to consult my colleagues, that these proposals could not be entertained; and on the 17th I received from you a note, which was but a simple acknowledgment of my letter.

As no intimation was afterwards given of your desire to continue the correspondence, and as no notice beyond formal acknowledgment was taken of my last letter, I could come to no other conclusion than that the communications were at an end.

On the 29th of May, therefore, in answer to a question from Mr. Murphy, I stated in the House of Commons that the correspondence which had been laid upon the Table of the House had shown that the conditions which Her Majesty's Government thought necessary to attach to the granting of a charter to a Roman Catholic University had been declined by the right reverend prelates who were deputed to act in the matter on the part of the Roman Catholic hierarchy of Ireland, and that therefore we had come to the conclusion that the matter should be considered entirely at an end. The answer given by the Earl of Malmesbury in the House of Lords on the same night, though somewhat different in words, was substantially to the same effect.

Again, on the 12th June, in reply to Sir John Gray, after referring to the dates of the communications which had taken place, I made a similar answer, and stated that it was not our intention to take any further steps in the matter.

It

It could not have been supposed that a correspondence conducted in such a manner, extending over so considerable a period of time, and terminating in the way it did, was intended by you to have been re-opened.

The questions, as to which differences arose, involved matters of the highest principle. Speaking on behalf of the Roman Catholic prelates of Ireland, you laid down in the clearest manner the maxims on the subject of university education which you considered necessary for the safety of the faith and morals of the youth of the country.

We could not have supposed that requirements sanctioned by such high authority, so repeatedly made and so clearly expressed, could have been put forward only to be withdrawn.

Under these circumstances, I can only repeat the answer I have already given in the House of Commons, that it is not the intention of Her Majesty's Government to take any further steps in the matter.

The Most Rev. Archbishop Leahy.

I have, &c.
(signed) *Maye.*

ROMAN CATHOLIC UNIVERSITY
(IRELAND).

COPY of Further Correspondence relative to
the Proposed CHARTER to a Roman Catholic
University in Ireland.

(Part of *Maye.*)

Ordered, by The House of Commons, to be Printed,
2 July 1863.

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Under 1 oz.